

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CHARLES LANGONE, as FUND MANAGER)
of the NEW ENGLAND TEAMSTERS AND)
TRUCKING INDUSTRY PENSION FUND)

Plaintiff,)

v.)

STAMPRETE OF RHODE ISLAND, STAMP)
CRETE OF RHODE ISLAND, INC.)
AND STAMPED CONCRETE, INC.)

Defendant,)
_____)

C.A. No. 04cv11125 NG

PLAINTIFF'S MOTION FOR SANCTIONS

On November 1, 2005, this Court entered an Order granting the Plaintiff's Motion to Compel further discovery in this matter. Despite several attempts by Plaintiff to obtain the discovery, Defendant has refused to comply with the Court's Order. Wherefore, Plaintiff moves the Court for sanctions against Defendant pursuant to Fed. R. Civ. P. 37(b)(2). Plaintiff seeks an Order preventing the Defendant from introducing any evidence on the matters which it refused to allow discovery and ordering Defendant to pay Plaintiff's reasonable costs and fees associated with the compelling the information. Attorney for Plaintiff certifies that she has in good faith attempted to secure disclosure without further Court action. Plaintiff offers the attached Memorandum in Support of its Motion for Sanctions.

Respectfully submitted,

For the Plaintiff,
CHARLES LANGONE, FUND MANAGER,
By his Attorney,

/S/ Catherine M. Campbell
Catherine M. Campbell
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Certificate of Service

I, Catherine M. Campbell, do hereby certify that on this date, I served the foregoing by first-class mail upon Bruce E. Thompson, Esq., Casey & Thompson, P.C., 8 North Main Street, Attleboro, MA 02703.

/S/ Catherine M. Campbell
Catherine M. Campbell

Date: March 14, 2006